



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733  
JUL 30 2004

Lynette  
**RECEIVED**

AUG 06 2004

Surface Water Quality  
Bureau

CERTIFIED MAIL: RETURN RECEIPT REQUESTED (7003 0500 0003 0869 5541)

Marcy Leavitt, Chief  
Surface Water Quality Bureau  
State of New Mexico Environment Department  
P. O. Box 26110  
Sante Fe, New Mexico 87502-6110

Re: *Modification of Total Maximum Daily Load for Turbidity and Stream Bottom Deposits  
for the Jemez River and Rio Guadalupe*

Dear Ms. Leavitt:

The Environmental Protection Agency (EPA) has reviewed the revised Jemez River TMDLs transmitted by your letter to Miguel Flores dated June 8, 2004. By this letter EPA is approving the revision to the loading as established in the revised documents:

- *"Total Maximum Daily Load for Turbidity and Stream Bottom Deposits, Revised June 2004"*

As part of this review, EPA has relied upon and incorporated by reference our previous decision documents and the revised information as outlined in the enclosed document. Based on this review, EPA concludes that the TMDLs listed above meet the requirements found in Section 303 of the Clean Water Act and the implementing regulations at 40 CFR 130.7. EPA is therefore pleased to approve the revised TMDL loading contained in this document and the incorporation as an update to the New Mexico Water Quality Management Plan. Please note that while included in the NMED submittal, an implementation plan is not required by current regulations and this approval does not address the existence or the adequacy of any implementation plan contained within this submission.

We commend your staff for the considerable effort that went into developing and establishing the TMDL revision. If you would like to discuss this approval, please contact me or Catherine Penland of my staff at (214) 665-7122.

Sincerely,

*Miguel I. Flores*  
Miguel I. Flores  
Director,  
Water Quality Protection Division

Enclosure

Enclosure:

The revision to the Jemez River Turbidity TMDL was necessitated by inclusion of an existing discharge, at a rate of 0.075 MGD, by the Village of Jemez Springs WWTP as a point source to Abiquiu Creek. This action requires the revision of the Waste Load Allocation from the previously approved TMDL to accommodate the proposed discharge. EPA has determined through our review that this change to the WLA will not result in increased potential for impairment to Abiquiu Creek. In addition, some minor revisions were made to the LAs for Turbidity as TSS and to the recalculated MOS. These changes were based on a NMED determination that a WLA needed to be assigned to the existing Jemez Springs WWTP. EPA is also taking action to approve the modification to this TMDL at this time.

- In the case of revision to the Turbidity (as TSS) TMDL, EPA notes that TSS contributions from the WWTP are minimal compared to the non-point source contribution (0.16% compared to 99.84%). Redistribution of the TMDL to include a WLA for the point source will not likely cause or contribute to excursions of the Turbidity narrative water quality standard.
- In the case of the specific WLA assigned to the Village of Jemez Springs WWTP, it is noted that the SWQB of NMED has made a condition of certification to renewal of the point source NPDES permit to reduce the load of TSS in the permit back to the previously permitted level of 16.95 lbs/day for the 45 day average, which would normally be equated to the WLA of the TMDL. This assignment is more stringent than the WLA of the TMDL, which allows an additional 11.25 lbs/day TSS available to the Village of Jemez Springs WWTP for future growth.

*Revised (June 2004) Total Maximum Daily Load for Turbidity and Stream Bottom Deposits for the Jemez River and the Rio Guadalupe*

TMDL for Turbidity (as TSS)

|               |  |
|---------------|--|
| Jemez River   | $WLA(28.2) + LA(15650.8) + MOS(5226) = 20905$<br>lbs/day |
| Rio Guadalupe | $WLA(0) + LA(22833) + MOS(7611) = 30444$ lbs/day         |

TMDL for Stream Bottom Deposits

|               |   |
|---------------|---|
| Jemez River   | $WLA(0) + LA(15) + MOS(5) = 20\%$ fines |
| Rio Guadalupe | $WLA(0) + LA(15) + MOS(5) = 20\%$ fines |